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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,928	06/07/2001	Kell Michael Jensen	042390.P10678	1359

8791 7590 09/23/2004	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN	EDELMAN, BRADLEY E	
12400 WILSHIRE BOULEVARD		
SEVENTH FLOOR	ART UNIT	PAPER NUMBER
LOS ANGELES, CA 90025-1030	2153	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/877,928	JENSEN ET AL.
	Examiner	**Art Unit**
	Bradley Edelman	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 June 2001</u>.
2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-18</u> is/are rejected.
7)☒ Claim(s) <u>8</u> is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>07 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date <u>11/15/2002</u>.
4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 20040915

DETAILED ACTION

This is a first Office action on the merits of this application. Claims 1-18 are

presented for examination. Note: although certain references were noted as X

references and Y references on the international search report for the PCT application

associated with this U.S. application, Examiner has found art that better describes

Applicant's claimed invention and has elected to use that art in rejecting the claims.

Claim Objections

1.   Claim 8 is objected to because of the following informalities: the word "by" on

line 2 of the claim appears to be misstated, and would be clearer if replaced with the

word "from" (i.e. "receiving a first request for information *from* a first network node").

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-5, 7-12, and 14-18 are rejected under 35 U.S.C. 102(b) as being

anticipated by Netscape Proxy Server Administrator's Guide, Version 3.5 for Unix (from

http://developer.netscape.com/docs/manuals/proxy.html, hereinafter "NPSD").

In considering claim 1, NPSD discloses a method to retrieve information, comprising:

receiving a first request for information over a first connection ("client requests a web page from the proxy server," p. 24, ¶ 3);

retrieving said information over a second connection ("the proxy server copies the document from the remote server to its local cache," p. 24, ¶ 3);

detecting that said first connection is terminated (p. 32, mid-page, "client interrupts the data transfer," thereby terminating the connection);

receiving a second request for said information over a third connection ("client requests a document that was previously requested," p. 24, ¶ 4);

determining whether said second request matches said first request (the proxy determines if the requests are for the same document by checking the cache, p. 24, ¶ 4); and

sending said information over a third connection to said first network node in accordance with the determination ("the proxy returns the document from the cache," p. 24, ¶ 4).

In considering claim 8, NPSD discloses a method to retrieve information in a network, comprising:

receiving a first request for information from a first network node at a second network node over a first connection ("client requests a web page from the proxy server," p. 24, ¶ 3);

sending said first request over a second connection to a third network node (the

proxy server sends the request to the remote server, p. 24, ¶ 3);

receiving a notice that the first connection is terminated (p. 32, mid-page, "client

interrupts the data transfer," thereby terminating the connection, wherein notice is sent

to the proxy to allow it to determine whether to continue retrieving the file);

retrieving said information over said second connection at said second node ("the

proxy server copies the document from the remote server to its local cache," p. 24, ¶ 3);

receiving a second request for said information over a third connection at said

second network node ("client requests a document that was previously requested," p.

24, ¶ 4); and

sending said information over a third connection to said first network node ("the

proxy returns the document from the cache," p. 24, ¶ 4).

In considering claim 15, claim 15 presents an article with a storage medium and

instructions for performing the same steps as claim 1, and is thus rejected for the same

reasons as claim 1.

In considering claims 2, 9, and 16, NPSD further discloses that the first request

comprises a first source address (i.e. the client's IP address) and a first information

address (i.e. the URL of the remote server), further comprising storing said information

(the information is "copied into the proxy cache," p. 24, ¶ 4) with said first source

address and said first information address in an information table (p. 20-21, "Restricting

Access," wherein both server URLs and client IP addresses are stored at the proxy server to control access to the information, and the table is inherent to store the data) prior to receiving the second request.

In considering claims 3 and 17, NPSD further discloses that the second request comprises a second source address (i.e. the client IP address) and a second information address (i.e. the server URL), and said determining comprises:

Searching said information table to determine whether the second source address matches the first source address (i.e. providing specific user's access, p. 21, "Denying Access to a Resource"); and

Determining whether said first information address matches said second information address (i.e. the proxy determines whether the requested URLs are the same to determine whether to use the cached data, p. 24, ¶ 3-4).

In considering claim 4, NPSD further discloses that the source addresses comprise Internet addresses ("IP addresses") and the information addresses comprise uniform resource locators ("URLs").

In considering claims 5 and 12, NPSD further discloses that the information is an HTML file (p. 5, bottom, "HTML").

In considering claim 7, 14, and 18, NPSD further discloses receiving a request to terminate said third connection (inherent after an HTTP request and retrieval of data), and terminating the second and third connections (again, inherent in completing the data transfer).

In considering claim 10, NPSD further discloses that the second request comprises a second source address (i.e. the client IP address) and a second information address (i.e. the server URL), and said determining comprises:

Searching said information table to determine whether the second source address matches the first source address (i.e. providing specific user's access, p. 21, "Denying Access to a Resource"); and

Determining whether said first information address matches said second information address (i.e. the proxy determines whether the requested URLs are the same to determine whether to use the cached data, p. 24, ¶ 3-4); and

Sending the information in accordance with said determination (i.e. the proxy sends the information from the cache if the URLs match).

In considering claim 11, NPSD further discloses that the source addresses comprise Internet addresses ("IP addresses") and the information addresses comprise uniform resource locators ("URLs").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

NPSD, in view of well-known Internet standards.

In considering claims 6 and 13, although NPSD does not disclose that the

information comprises an XML file, Examiner takes Official notice that XML is a

notoriously well-known language for files on the Internet. Given this knowledge, it would

have been obvious to use XML in the system taught by NPSD, in addition to or instead

of HTML, because XML has numerous advantages over HTML (such as creation of

customized tags, supporting links that point to multiple documents, etc.).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Bradley Edelman whose telephone number is 703-306-

3041. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Edelman

BE
September 16, 2004